

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

ENERGY ADVISORS GROUP INC.

§

§

§

V.

§

CIVIL ACTION NO. _____

§

(Harris County Cause # 2020-45832/Court: 133)

§

SAMSON OIL AND GAS LTD and

§

SAMSON OIL AND GAS USA INC.

§

NOTICE OF REMOVAL

Defendants, Samson Oil and Gas Ltd and Samson Oil and Gas USA Inc. (collectively “Samson Oil”), by counsel, remove this civil action from the District Court of Harris County, Texas to the United States District Court for the Southern District of Texas pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. As more fully explained herein, removal is proper because this Court has subject matter jurisdiction over this action under 28 U.S.C. §1332, and all of the other requirements of removal have been satisfied. The grounds for removal are as follows:

1. This action originally commenced in the District Court of Harris County, Texas on or about July 31, 2020, and is now pending in that court. Pursuant to LR81, all papers and matters filed in the state court are attached hereto as Exhibit A. Specifically, the Harris County District Court’s Detail Report is attached as Exhibit A-1. “Plaintiff’s Original Petition” is attached as Exhibit A-2, service on Defendant, Samson Oil and Gas Ltd (“Samson, Ltd.”), is attached as Exhibit A-3, service on Defendant, Samson Oil and Gas USA Inc. (“Samson USA”), is attached as Exhibit A-4, and the state court’s Docket Sheet is attached as Exhibit A-5. A list of all counsel of record is attached as Exhibit B. The index to Defendants’ Notice of Removal being filed is attached as Exhibit C.

2. Defendant Samson Ltd. was served via the Texas Secretary of State's Office on August 7, 2020. Defendant Samson USA was served via CT Corporation on August 6, 2020.

3. This Notice of Removal is timely under 28 USC §1446(b) because the same was filed within thirty (30) days after receipt of the initial pleading setting forth the claim for relief upon which the proceeding is based. Further, this Notice of Removal is filed within one year of the commencement of this action.

4. A Notice of Filing of Notice of Removal will be filed promptly with the District Clerk of the District Court of Harris County, Texas.

5. A copy of the Notice of Filing Notice of Removal will also be served upon counsel for the Plaintiff, together with a copy of this Notice of Removal, contemporaneously with filing the same with the District Clerk of the District Court of Harris County, Texas.

6. Jurisdiction is vested in this Court pursuant to 28 U.S.C. §1332, as there is complete diversity of citizenship between the parties. Plaintiff, Energy Advisors Group Inc. ("EAG"), is a Texas corporation with its principal place of business in Harris County, Texas. Defendant Samson Ltd. is a foreign corporation incorporated in Australia with its principal place of business in the City and County of Denver, Colorado. Defendant Samson USA is a Colorado corporation with its principal place of business in the City and County of Denver, Colorado. Neither Defendant maintains an office in the State of Texas. For purposes of diversity jurisdiction, a corporation is a citizen of every state in which it has been incorporated and the state where it has its principal place of business. 28 U.S.C. §1332(c); *Tewari De-Ox Sys., Inc. v. Mountain States/Rosen Liab, Corp.*, 757 F.3d 481, 483 (5th Cir. 2014). Therefore, Plaintiff EAG is a citizen of Texas. Defendant Samson Ltd. is a citizen of Colorado. Defendant Samson USA is a citizen of Colorado.

7. Venue is proper in this Court because this District and Division encompass the District Court of Harris County, Texas, the forum from which the case has been removed. *See* U.S.C. §1441.

8. Additionally, the amount in controversy exceeds \$75,000. In its Petition, Plaintiff EAG states that it “has been damaged in an amount no less than \$862,500.” Thus, the amount in controversy is sufficient to establish the diversity jurisdiction of this Court. *See* U.S.C. §1446(c)(2).

9. All Defendants who have been properly joined and served join in or consent to the removal of this case to federal court. 28 U.S.C. § 1446(b)(2)(A).

10. This Court has original jurisdiction of this civil action because there is complete diversity of citizenship between the parties, and the amount in controversy exceeds \$75,000. 28 U.S.C. §1332. Consequently, this action is removable to this Court.

11. Plaintiff demanded a jury in the state court suit.

WHEREFORE, Defendants, Samson Oil and Gas Ltd. and Samson Oil and Gas USA Inc., submit that this matter is properly removed from the District Court of Harris County, Texas to this Court.

Respectfully submitted this 8th day of September, 2020.

STEPTOE & JOHNSON PLLC

By: /s/ Jason R. Grill

Jason R. Grill

State Bar No.: 24002185

(S.D. Tex. No. 256935)

jason.grill@steptoe-johnson.com

1780 Hughes Landing Boulevard, Suite 750

The Woodlands, Texas 77380

281.203.5700

281.203.5701 (facsimile)

*Attorney in Charge for Defendants, Samson Oil and
Gas Ltd. and Samson Oil and Gas USA Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been forwarded to all parties listed below as indicated on this the 8th day of September, 2020:

Via E-Mail and First Class Mail

Patrick D. Devine

LAW OFFICES OF PATRICK D. DEVINE

P.O. Box 1229

Pinehurst, Texas 77362

pdevine@pdevinelaw.com

Attorney for Plaintiff, Energy Advisors Group Inc.

/s/ Jason R. Grill

Jason R. Grill